

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**SIMPLY SNACKIN, INC. and
JASON ISANBERG,**

Plaintiffs,

v.

**S-L DISTRIBUTORS and
SNYDER'S-LANCE,**

Defendant.

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Civil No. 1:17-CV-0381

Judge Sylvia H. Rambo

ORDER

In accordance with the accompanying memorandum of law, **IT IS HEREBY ORDERED** that Defendants' motion to dismiss the amended complaint for failure to state a claim (Doc. 52) is granted in part and denied in part as follows:

- 1) The motion is **GRANTED WITH PREJUDICE** as to Counts I and II as stated against Defendant Snyder's-Lance;
- 2) The motion is **DENIED** as to Counts I and II as stated against Defendant S-L Distributors;
- 3) The motion is **GRANTED WITH PREJUDICE** as to Counts III and IV as stated against Defendant S-L Distributors, and without prejudice as to Defendant Snyder's-Lance.
- 4) The motion is **GRANTED WITH PREJUDICE** as to all claims brought by Plaintiff Jason Isanberg.

Dated: December 6, 2017

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge